

Counsel for Defendant ARGELIO SUASTEGUI LOZANO

UNITED STATES OF AMERICA,
Plaintiff,
v.
ARGELIO SUASTEGUI LOZANO,
Defendant.

STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING BRIEFING
SCHEDULE AND HEARING DATE
FROM NOVEMBER 8, 2006 TO
JANUARY 10, 2007

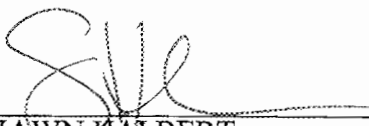
1. The parties' had previously agreed to and the court had ordered a briefing schedule on defendant's motion to dismiss, for hearing on November 8, 2006.
2. Defendant filed an opening motion, but the parties then engaged in settlement negotiations that ultimately were not successful. Given that the case is not going to settle, the defendant intends to file an amended motion, which will add one related argument that the parties have already discussed. The parties will need a new briefing schedule, and propose the following: Defendant will file an amended motion to dismiss on November 8, 2006; the government will file an opposition on November 29, 2006;

1 the defendant will file a reply on December 20, 2006; the matter will be heard by this
2 Court on January 10, 2007 at 2:30 p.m.

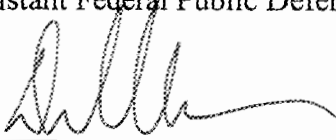
- 3 3. The parties agree that the time between November 8, 2006 and January 10, 2007 should
4 be excluded from the computation of time within which the trial of this matter must
5 commence because of defendant's pending pretrial motion to dismiss. 18 U.S.C. §
6 3161(h)(1)(F).

7 IT IS SO STIPULATED

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9 Date: November 7, 2006


SHAWN HALBERT
Assistant Federal Public Defender

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11
12 Date: November 7, 2006


DEREK OWENS
Assistant United States Attorney

ORDER

For GOOD CAUSE SHOWN, it is hereby ORDERED that the status hearing, previously set by this Court for November 8, 2006 shall be continued to January 10, 2007, at 2:30 p.m. The Court adopts the parties' proposed filing schedule, whereby defendant will file an amended motion to dismiss on November 8, 2006; the government will file an opposition on November 29, 2006; and the defendant will file a reply on December 20, 2006. IT IS FURTHER ORDERED that the time between November 8, 2006 and January 10, 2007 shall be excluded from the computation of time within which the trial of this matter must commence because of defendant's pending pretrial motion to dismiss. 18 U.S.C. § 3161(h)(1)(F).

Date: NOV 7 2006


THE HONORABLE MAXINE M. CHESNEY
UNITED STATES DISTRICT JUDGE